IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.3916 OF 2005

Bhau Ashok Manohar Shinde ...Applicant
Vs.
The State of Maharashtra ...Respondent

Shri Mirza Y. K. for the Applicant.
Ms M.H. Mhatre, A.P.P. for the Respondent.

CORAM : A. S. OKA, J.
DATE : OCTOBER 17, 2005.

P.C.:

1. Heard the Advocate appearing for the Applicant and the learned A.P.P. for the State. Prayer in this Application is for modification of the following condition in order dated 30th April, 2004 passed by this Court:

> The applicant shall report to Murbad Police Station as and when required, till the filing of the chargesheet and thereafter once in a week till the conclusion of the trial.

The grievance of the Applicant is that till today the chargesheet is not filed and once in every week he is required to attend the Murbad Police Station which is at a distance of fourty-two kilometers from his house. It is stated that age of the Applicant is fifty-nine years. The learned A.P.P. on telephonic instructions

of the Investigating Officer stated that the chargesheet is not yet filed and the Applicant has been regularly attending the Police Station.

2. If this is the state of affairs, surely the Applicant cannot be made to attend the Murbad police Station once in a week. Hence, the condition needs modification.

3. Accordingly, clause No.4 of the order dated 30th April, 2004 in Criminal Application No.1955 of 2004 is modified and it is directed that the Applicant shall report to the Murbad Police Station once in every calendar month till the conclusion of the trial. Application is accordingly disposed of.

JUDGE